

STATE OF OREGON
 COUNTY OF JEFFERSON
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

confirms the right to use the waters of the TROUT CR, a tributary of the DESCHUTES R, for instream use for conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jefferson County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in volume 5, at page 57. The date of priority is 1887, 1899, and 1903. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed:

Period Instream	Priority Date	Instream Rate
May 1 through July 31	1887	1.9 CFS
	1899	0.5 CFS
	1903	0.17 CFS
	TOTAL	2.57 CFS
August 1 through September 30	1887	1.43 CFS
	1899	0.38 CFS
	1903	0.13 CFS
	TOTAL	1.94 CFS
October 1 through October 5	1887	1.56 CFS
	1899	0.41 CFS
	1903	0.14 CFS
	TOTAL	2.11 CFS

or its equivalent in case of rotation, measured at the point of diversion.

The description of the stream reach in which flows are to be maintained is as follows:

From the location of the diversion authorized previously under Certificate 80367, located at:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
9 S	14 E	WM	13	NE NW			SOUTH 58 DEGREES EAST, 2200 FEET FROM NW CORNER, SECTION 13

To the mouth of Trout Creek.

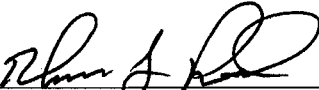
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

The instream right established by this transfer shall replace a portion of instream water rights established pursuant to ORS 537.341 or 537.346 and shall be in addition to instream water rights established pursuant to ORS 537.348 or 537.470, unless otherwise specified by a subsequent order establishing a new instream water right.

The right is subject to all other terms and conditions of Certificate 80367, and any related decree.

This certificate is issued to confirm a change in use and place of use approved by an order of the Water Resources Director approving Transfer 9544 and supersedes Certificate 80367, State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed July 29, 2005.


for Phillip C. Ward, Director